



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

APR 17 1986

Docket Nos. 50-445/50-446

Ms. Billie Pirner Garde
Director, Environmental Whistleblower Clinic
Government Accountability Project
1555 Connecticut Avenue, NW, Suite 202
Washington, DC 20036

IN RESPONSE REFER
TO FOIA-85-59

Dear Ms. Garde:

This is in further response to your letter dated January 21, 1985, in which you requested, pursuant to the Freedom of Information Act (FOIA), records related to the NRC Comanche Peak Task Force established in March, 1984.

We are now placing into the NRC Public Document Room one additional box of records (Box #4) in the QA/QC category, covering Appendix F records 1 through 37. Portions of the records identified as numbers 1 through 16, 31 through 35, and 37 are being withheld from public disclosure pursuant to Exemption (5) of the FOIA (5 U.S.C. 552(b)(5)) and 10 CFR 9.5(a)(5) of the Commission's regulations. The withheld portions contain the advice, opinions, and recommendations of the staff concerning potential violations. The nonexempt portions of the Appendix F documents numbers 1 through 37 are being placed in PDR file FOIA-85-59 under your name.

The Appendix F documents numbered 4, 6, 15, 17, 23, 24, 25, 29, and 37 contain deletions without invocation of an FOIA exemption in accordance with the agreement reached between you and the NRC staff at a meeting held on May 8, 1985, concerning your pending FOIA requests pertaining to the Comanche Peak Technical Review Team activities. This agreement was summarized in a letter to you from Joseph M. Felton, dated May 15, 1985. The information that has been deleted consists of names and other identifying information concerning alleged, interviewees, and other individuals.

Ms. Garde

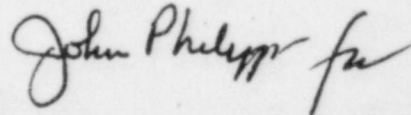
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Pursuant to 10 CFR 9.9 of the Commission's regulations, it has been determined that the information withheld is exempt from production or disclosure and that its production or disclosure is contrary to the public interest. The persons responsible for this denial are the undersigned and Mr. Harold R. Denton, Director, Office of Nuclear Reactor Regulation.

This denial may be appealed to the Executive Director for Operations within 30 days from the receipt of this letter. Any such appeal must be in writing, addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should clearly state on the envelope and in the letter that it is an "Appeal from an Initial FOIA Decision."

A separate set of the released records is being made available for public inspection and copying at the Local Public Document Room (LPDR) located at the University of Texas Library, 701 South Cooper Street, Arlington, Texas. Additional boxes of records in the QA/QC category are currently under review and will be placed in the PDR and LPDR in the coming weeks.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Phillips" with a flourish at the end.

Donnie H. Grimsley, Director
Division of Rules and Records
Office of Administration

Enclosure: As stated

APPENDIX F

<u>Box 4 - QA/QC</u>		<u>Pages</u>
<u>Date</u>		
1. No date	SSER AC-22, AC-23 and AC-50	4
2. No date	SSER AC-25, AC-28, AC-32, AC-33 and AC-34	6
3. No date	SSER AQC-16, AC-19, AC-20, AC-21, AC-27 and AC-47	4
4. No date	SSER AQ-24, AC-35 and AC-52	7
5. No date	SSER AC-26, AC-31, AC-36 and AC-43	3
6. No date	SSER AC-30, AC-37, AQC-12, AC-38, AC-39 and AC-49	10
7. No date	SSER AQC-10	2
8. No date	SSER AQC-1, AQC-2, AQC-3 SSER AQC-7, AQC-46 and AQC-51	7
9. No date	SSER AQC-9	4
10. No date	SSER AQC-4, AQC-5, AQC-6 AQC-8, AQC-11 and AQC-48	4

11. No date	SSER AQC-41	5
12. No date	SSER AC-29	3
13. No date	SSER AC-44	3
14. No date	SSER AE-17	4
15. No date	SSER AC-13, AC-14 AC-15, AC-18 and AC-40	6
16. No date	SSER AQ-64	2
17. No date	Matrix (Herbs) QA/QC Category 8	33
18. No date	QA/QC category 8 AQ-50	14
19. No date	Civil/structural Category 1 AC19, AQC-16	18
20. No date	Category 1, AT-1	23
21. No date	QA/QC overall	28
22. No date	E & I AE-17	11
23. 5/16/85	QA/QC 1 TR-6216B	22
24. No date	Matrix Category 44 AW-57, AW-39, AW-64 and AW-53	42
25. No date	Civil/structural SSER #8	65
26. 5/16/85	QA/QC Category 1 TR-6216 B	21

27. No date	Allegation 84-16, Sect. A-4, 84-16, Sect. B 84-16 QA/QC (TRT)	17
28. No date	QA/QC Overall	21
29. No date	Category 32, AH-4, AH-10	50
30. No date	Matrix 5C AQ-54 AQ-65	34
31. 2/12/85	SSER AQO-14, AQO-25, AQO-49, AQO-50, AQO-52 AQO-53, AQO-57 and AQO-59	53
32. 2/13/85	SSER (Parts of AQO-18, AQO-19, AQO-20, AQO-21, AQO-37, AQO-46, AQO-47, AQO-54, AQO-55 and AQO-56)	38
33. 2/13/85	SSER (Parts of AQO-01 AQO-12, AQO-15, AQO-17, AQO-20, AQO-23, AQO-24, AQO-31, AQO-34, AQO-36, AQO-39, AQO-45, AQO-48, AQO-49 AQO-51, AQ-58 and AQO-62)	45
34. 2/13/85	SSER AQO-36, 34, 62 Draft 4	16
35. 2/14/85	Note to Dist. from Conrad (NRC) Attachment: SSER Coatings 2	26
36. 2/20/85	Final draft of coatings SSER. Includes Appendix L.	60

37. No date Misc. SSER
Allegation #AQC-45

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GOVERNMENT ACCOUNTABILITY PROJECT

1555 Connecticut Avenue, N.W., Suite 202
Washington, D.C. 20036

(202) 232-8550

G:85:104

January 21, 1985

FREEDOM OF INFORMATION ACT REQUEST

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-85-59
Rec'd 1-25-85

Director
Office of Administration
Nuclear Regulatory Commission
Washington, D.C. 20555

To Whom It May Concern:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, the Government Accountability Project ("GAP") requests copies of any and all agency records and information, including but not limited to notes, letters, memoranda, drafts, minutes, diaries, logs, calendars, tapes, transcripts, summaries, interview reports, procedures, instructions, engineering analyses, drawings, files, graphs, charts, maps, photographs, agreements, handwritten notes, studies, data sheets, notebooks, books, telephone messages, computations, voice recordings, computer runoffs, any other data compilations, interim and/or final reports, status reports, and any and all other records relevant to and/or generated in connection with the overview, regulation and investigation of the Comanche Peak Nuclear Plant by any person, branch, or department of the NRC since January 18, 1985.

This request includes all agency records as defined in 10 C.F.R. § 9.3a(b) and the NRC Manual, Appendix O211, Parts 1.A.2 and A.3 (approved October 8, 1980) whether they currently exist in the NRC official, "working," investigative or other files, or at any other location, including private residences.

If any records as defined in 10 C.F.R. § 9.3a(b) and the NRC Manual, supra, and covered by this request have been destroyed and/or removed after this request, please provide all surrounding records, including but not limited to a list of all records which have been or are destroyed and/or removed, a description of the action(s) taken relevant to, generated in connection with, and/or issued in order to implement the action(s).

GAP requests that fees be waived, because "finding the information can be considered as primarily benefitting the general public," 5 U.S.C. § 552(a)(4)(a). GAP is a non-profit, non-partisan public interest organization concerned with honest and open government. Through public outreach, the Project promotes whistleblowers as agents of government accountability. Through its Citizens Clinic, GAP offers assistance to local public interest and citizens groups seeking to ensure the health and safety of their communities. The Citizens Clinic is currently assisting several citizens groups, local governments and intervenors in the central Texas area concerning the construction of the Comanche Peak nuclear power plant.

8510150447 *ZPP.*

Director
Office of Administration

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We are requesting the above information as part of an ongoing monitoring project on the adequacy of the NRC's efforts to protect public safety and health at nuclear power plants.

For any documents or portions that you deny due to a specific FOIA exemption, please provide an index itemizing and describing the documents or portions of documents withheld. The index should provide a detailed justification of your grounds for claiming each exemption, explaining why each exemption is relevant to the document or portion of the document withheld. This index is required under Vaughn v. Rosen (I), 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974).

We look forward to your response to this request within ten days.

Sincerely,

Billie Pirner Garde

Billie Pirner Garde
Citizens Clinic Director